

## SHORELINE MASTER PROGRAM PERIODIC REVIEW

### Periodic Review Checklist: 2021 version

This document is intended for use by counties, cities and towns subject to the Shoreline Management Act (SMA) to conduct the “periodic review” of their Shoreline Master Programs (SMPs). The review is required under the SMA at [RCW 90.58.080\(4\)](#). Ecology rules that define the procedures for conducting these reviews include a requirement to use this checklist to ensure a successful review ([WAC 173-26-090](#)). By filling out this checklist, the local government is demonstrating compliance with the minimum scope of review requirements of WAC 173-26-090(2)(d)(ii). The checklist is organized into two parts.

**Part One** is used to identify how the SMP complies with current state laws, rules and guidance. This checklist identifies amendments to state law, rules and applicable updated guidance adopted between 2007 and 2021 that may trigger the need for local SMP amendments.

**Part Two** is used to document local review to ensure the SMP is consistent with changes to the local comprehensive plans or development regulations, and to consider changes in local circumstances, new information or improved data. As part of this periodic review the local government should include consideration of whether or not the changes warrant an SMP amendment.

#### How to use this checklist

See the associated *Periodic Review Checklist Guidance* for a description of each item, relevant links, review considerations, and example language.

Use the **review column** to document review considerations and determine if local amendments are needed to maintain compliance. See WAC 173-26-090(3)(b). Ecology recommends reviewing all items on the checklist.

Use the **action column** as a final summary identifying your final action taken to address the identified change in state law, rule or guidance. See WAC 173-26-090(3)(d)(ii)(D), and WAC 173-26-110(9)(b). This will likely include one of the following:

- Amendment proposed (include code citation);
- No amendment needed; or
- Not applicable.

#### Example

Row	Summary of change	Review	Action
2017a	OFM adjusted the cost threshold for substantial development to \$7,047.	21A.25.290B refers to the statutory thresholds, as amended by OFM.	No amendments needed.

#### For more information

Coordinate with [Ecology regional planner](#) for more information on how to use this checklist and conduct the periodic review.

Prepared By	Jurisdiction	Date
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## Part One: State laws, rules and guidance review

**Part One** is used to demonstrate compliance with WAC 173-26-090(2)(d)(i)(A). This checklist identifies amendments to state law, rules and applicable updated guidance adopted between 2007 and 2021 that may trigger the need for local SMP amendments during periodic reviews.\*

Row	Summary of change	Review	Action
2021			
a.	The Legislature amended <b>floating on-water residences</b> provisions	City of Walla Walla has no existing Floating on Water Residences and does not allow them.	No amendment needed
b.	The Legislature clarified the permit exemption for <b>fish passage projects</b>	City of Walla Walla includes a simple reference to RCW 90.58.147 and does not list out particular exemptions. (See SMP Section 7.4)	No amendment needed
2019			
a.	OFM adjusted the <b>cost threshold for building freshwater docks</b>	City of Walla Walla includes a simple reference to WAC 173-27-040 and does not list out particular exemptions or exemption thresholds. (See SMP Section 7.4)	No amendment needed
2017			
a.	OFM adjusted the <b>cost threshold for substantial development</b> to \$7,047.	City of Walla Walla includes a simple reference to RCW 90.58.147 and does not list out particular exemptions or exemption thresholds. (See SMP Section 7.4)	No amendment needed
b.	Ecology permit rules clarified the <b>definition of “development”</b> does not include dismantling or removing structures.	City of Walla Walla SMP defines “development” but does not include the new language, nonetheless it is required to be compliant with the state definition in administering the code so no action is required. (See SMP Section 2.0)	No amendment needed

Row	Summary of change	Review	Action
c.	Ecology adopted rules clarifying <b>exceptions to local review under the SMA.</b>	City City of Walla Walla SMP does not address these SMP exemptions, however, not all of the rules apply to the City of Walla Walla shorelines. Based on the limited nature of these exemptions and the fact that the City of Walla Walla has only one Shoreline of Statewide Significance (Mill Creek) it does not seem necessary to a superate section to address these exemptions.	No amendment needed
d.	Ecology amended rules clarifying <b>permit filing procedures</b> consistent with a 2011 statute.	City of Walla Walla SMP provides that filing shall occur consistent with WAC 173-27-130 which includes the process for “date fo filing” requirements of that rule. The City of Walla Walla is currently following Department of Ecology COVID-19 guidance send October 1, 2020, and providing shoreline permit submittals electronically to <a href="mailto:smp@ecy.wa.gov">smp@ecy.wa.gov</a> .	No amendment necessary
e.	Ecology amended <b>forestry use regulations</b> to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.	City of Walla Walla prohibits Forrest practices within the shoreline jurisdiction. (See Section SMP 6.11)	No amendment necessary
f.	Ecology clarified the SMA does not apply to lands under <b>exclusive federal jurisdiction</b>	City of Walla Walla SMP does not speak specifically to exclusive federal jurisdiction. Ecology Checklist guidance does not require clarification.	No amendment necessary
g.	Ecology clarified “default” provisions for <b>nonconforming uses and development.</b>	City of Walla Walla SMP already contains a section addressing Nonconforming Uses, Structures and Lots. “Default” ecology provisions are not necessary for the City	No amendment necessary

Row	Summary of change	Review	Action
		of Walla Walla SMP. (See SMP Section 7.10)	
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structure to comply with the <b>Americans with Disabilities Act</b> .	City of Walla Walla includes a simple reference to WAC 173-27-040 and does not list out particular exemptions.	No amendment necessary
b.	Ecology updated <b>wetlands critical areas guidance</b> including implementation guidance for the 2014 wetlands rating system.	City of Walla Walla SMP 2018 update and its Critical Areas Ordinance (Municipal Code Chapter 21.04), includes regulations related to wetland ratings and the updated 2014 Ecology Publication No. 14-06-030 rating system. (See SMP Section 3.1(A))	No amendment necessary
2015			
a.	The Legislature adopted a <b>90-day target</b> for local review of Washington State Department of Transportation (WSDOT) projects.	City of Walla Walla SMP does not speak specifically to the 90 day target for WSDOT projects. However, Ecology Checklist guidance does not require clarification.	No amendment necessary
2012			
a.	The Legislature amended the SMA to clarify <b>SMP appeal procedures</b> .	City of Walla Walla SMP does not include procedures of the SMP appeal process.	No amendment necessary
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved <b>federal wetland delineation manual</b> .	City of Walla Walla SMP does include the requirement that Wetlands are designated in accordance with the federal wetland delineation manual. (See SMP Section 3.1(A))	No amendment necessary
b.	Ecology adopted rules for new commercial <b>geoduck aquaculture</b> .	City of Walla Walla has no saltwaters shorelines.	No amendment necessary
c.	The Legislature created a new definition and policy for <b>floating homes</b> permitted or legally established prior to January 1, 2011.	City of Walla Walla has no floating homes.	No amendment necessary

Row	Summary of change	Review	Action
d.	The Legislature authorizing a new <b>option to classify existing structures as conforming.</b>	City of Walla Walla has exercised the option of classifying existing legal structures as conforming. (See SMP Section 7.10(D)(4))	No amendment necessary
2010			
a.	The Legislature adopted <b>Growth Management Act – Shoreline Management Act clarifications.</b>	City of Walla Walla SMP 2018 update contemplated the interplay between the SMP and local critical areas regulations. (See SMP Appendix A)	No amendment necessary
2009			
a.	The Legislature created new “relief” procedures for instances in which a <b>shoreline restoration project within a UGA</b> creates a shift in Ordinary High Water Mark.	City of Walla Walla SMP provides that applicants seeking to perform restoration projects may work with the City to access if a proposed project may benefit from relief allowed under RCW 90.58.580. (See SMP Section 6.18(F))	No amendment necessary
b.	Ecology adopted a rule for certifying <b>wetland mitigation banks.</b>	City of Walla Walla SMP incorporates by appendix the City’s Critical Areas Ordinance which provides for regulation of Wetland mitigation banks.	No amendment necessary
c.	The Legislature added <b>moratoria authority</b> and procedures to the SMA.	City of Walla Walla SMP does not reference moratoria authority. As moratoria authority is derived from state law the City may rely on such statutes if there is a need for a moratoria related to shorelines	No amendment necessary
2007			
a.	The Legislature clarified <b>options for defining "floodway"</b> as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.	City of Walla Walla SMP does have a definition of “floodway” which incorporates mapping of critical areas maps based on data obtained from the Federal Emergency Management Agency Flood	No amendment necessary

Row	Summary of change	Review	Action
		Insurance Rate Maps. (See SMP Appendix A)	
b.	Ecology amended rules to clarify that <b>comprehensively updated SMPs shall include a list and map of streams and lakes</b> that are in shoreline jurisdiction.	City of Walla Walla SMP has only one Shoreline of Statewide Significance (Mill Creek) No new streams or lakes have been identified since the last SMP update.	No amendment necessary

\* See additional considerations for Ocean Management within Ecology's Ocean Management Checklist and associated guidance for using the Ocean Management Checklist. This checklist and guidance summarizes state law, rules and applicable updated information related to Ocean Resources Management Act (ORMA) and the Washington State Marine Spatial Plan (MSP). All jurisdictions with coastal waters must implement ORMA and the MSP applies to all jurisdictions that overlap with the MSP Study Area. Clallam County, Jefferson County, Grays Harbor County, Pacific County, Ilwaco, Long Beach, Raymond, South Bend, Cosmopolis, Ocean Shores, Hoquiam, Aberdeen, Westport need to plan for ocean uses consistent with ORMA and the MSP and should be using the Ocean Management Checklist in addition to this Periodic Review Checklist.

## Part Two: Local review amendments

**Part Two** is used to demonstrate compliance with WAC 173-26-090(2)(d)(ii). This checklist identifies changes to the local comprehensive plans or development regulations, changes in local circumstances, new information or improved data that may warrant an SMP amendment during periodic reviews.

### Changes to Comprehensive Plan and Development regulations

Question	Answer		Discussion
Have you had Comprehensive Plan amendments since the SMP comprehensive update that may trigger need for an SMP amendment?	<input type="checkbox"/>	Yes	No Comprehensive Plan amendments which trigger need for SMP amendment.
	<input checked="" type="checkbox"/>	No	
Have you had Development Regulations amendments since the SMP comprehensive update that may trigger need for an SMP amendment?	<input type="checkbox"/>	Yes	No Development Regulation amendments triggering need for SMP amendment.
	<input checked="" type="checkbox"/>	No	
Has your Critical Areas Ordinance (CAO) been updated since the SMP comprehensive update? If yes, are there changes that trigger need for an SMP amendment?	<input checked="" type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Are CAO provisions incorporated by reference (with ordinance # and date) into your SMP? If yes, is it the current CAO or a previous version?	<input checked="" type="checkbox"/>	Yes	The CAO is incorporated into the SMP by appendix A to the SMP
	<input type="checkbox"/>	No	
Has any new shoreline area been annexed into your jurisdiction since your SMP was updated? If yes, were these areas pre-designated?	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Other	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	

If your review and evaluation resulted in proposed SMP text or map amendments, please create a table that identifies changes to the SMP for consistency with amendments to the Comprehensive Plan and Development regulations. Example format:

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules

## Changes to local circumstance, new information, or improved data

Question	Answer		Discussion
Has your jurisdiction experienced any significant events, such as channel migration, major floods or landslides that impacted your shoreline and could trigger a need for an SMP amendment?	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Have FEMA floodplain or floodway maps been recently updated for your jurisdiction? If your SMP extends shoreline jurisdiction to the entire 100-year floodplain, has FEMA updated maps that trigger a need for an SMP amendment?	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Have you issued any formal SMP Administrative Interpretations that could lead to improvements in the SMP?	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Are there any Moratoria in place affecting development in the Shoreline?	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Have staff identified the need for clarification based on implementation or other changes? e.g., modifications to environment designations, mapping errors, inaccurate internal references.	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Are there other changes to local circumstances, new information, or improved data that need to be addressed in your SMP?	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	

If your review and evaluation resulted in proposed SMP text or map amendments, please create a table that identifies changes to the SMP to address changes to local circumstances, new information, or improved data. Example format:

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules